

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

GENESIS HILL,	:	Case No. 1:23-cv-406
	:	
Plaintiff,	:	
	:	
vs.	:	District Judge Algenon L. Marbley
	:	Magistrate Judge Elizabeth P. Deavers
	:	
ARAMARK CORRECTIONAL	:	
SERVICES, et al.,	:	
	:	
Defendants.	:	

REPORT AND RECOMMENDATION

On June 27, 2023, plaintiff filed a motion for leave to proceed *in forma pauperis* in this Court. (Doc. 1). On June 28, 2023, the Court issued a Deficiency Order, requiring plaintiff to pay the full filing fee or to submit a complete, up-to-date application and affidavit to proceed *in forma pauperis* within thirty (30) days. (See Doc. 2). Plaintiff was advised that “if he fails to comply with this Order, this case will be dismissed for lack of prosecution.” (*Id.* at PageID 37).

To date, more than thirty (30) days after the June 28, 2023 Deficiency Order, plaintiff has failed to respond to or otherwise comply with the Order.

District courts have the inherent power to *sua sponte* dismiss civil actions for want of prosecution to manage their own affairs so as to achieve the orderly and expeditious disposition of cases.” *Link v. Wabash R.R.*, 370 U.S. 626, 630-631 (1962). *See also Jourdan v. Jabe*, 951 F.2d 108, 109 (6th Cir. 1991). Failure of a party to respond to an order of the court warrants invocation of the Court’s inherent power. *See Fed. R. Civ. P. 41(b)*.

It is therefore **RECOMMENDED** that this matter be **DISMISSED** for lack of prosecution.

NOTICE REGARDING OBJECTIONS

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to this Report & Recommendation (“R&R”) within **FOURTEEN (14) DAYS** after being served with a copy thereof. That period may be extended further by the Court on timely motion by either side for an extension of time. All objections shall specify the portion(s) of the R&R objected to, and shall be accompanied by a memorandum of law in support of the objections. A party shall respond to an opponent’s objections within **FOURTEEN DAYS** after being served with a copy of those objections. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

August 10, 2023

s/ Elizabeth A. Preston Deavers

Elizabeth A. Preston Deavers
United States Magistrate Judge